

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TCR HOLDINGS, LLC,

Plaintiff,

v.

NYE COUNTY, NEVADA,

Defendant.

2:09-CV-433 JCM (GWF)

**ORDER**

Presently before the court is plaintiff TCR Holding, LLC's (hereinafter "TCR") motion for attorney's fees, requesting \$95,000.00. (Doc. #89). Defendant Nye County filed an opposition to the motion, (doc. #100), and plaintiff filed a reply, (doc. #104).

Plaintiff's second amended complaint challenged the constitutionality of Nye County Code § 9.20.090(A), which made Nevada residency a requirement to open a brothel. (Doc. #33). A motion for partial summary judgment was granted on March 22, 2010 for the plaintiff. (Doc. #80). The law was declared by this court to be in violation of the dormant Commerce Clause of the United States Constitution, and accordingly, further enforcement was permanently enjoined through an injunction.

Plaintiff filed a motion for attorneys fees for the fees associated with the motion for partial summary judgment. Subsequently, plaintiff TCR submitted a stipulation requesting the case be dismissed "with prejudice, with all parties to bear their own court costs and attorney's fees." (Doc. #114).

1           Accordingly,

2           IT IS HEREBY ORDERED, ADJUDGED AND DECREED that plaintiff's motion for  
3 attorney's fees, requesting \$95,000.00 (Doc. # 89) be, and the same hereby is DENIED as moot.

4           DATED this 10th day of August, 2010.

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9           UNITED STATES DISTRICT JUDGE  
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